

Revision Dated August 23, 1999

RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
IN
SPENCER, MASSACHUSETTS



TOWN OF SPENCER, MASSACHUSETTS
OFFICE OF THE
PLANNING BOARD

ANR Regulations Checklist

Plan Requirements:

- a.** Locus, map, property boundaries, north point, date and scale._____
- b.** Name of the record owner, name of the registered land surveyor, and the Worcester Registry of Deeds book and page references of conveyance to record owner._____
- c.** Assessors Map and Parcel number._____
- d.** Area of each lot._____
- e.** Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, monument or references necessary to establish these lines on the ground._____
- f.** Where practical, boundary lines of contiguous and adjacent land and the names of the owners thereof, as determined from the most recent tax list._____
- g.** Location, names and present widths of non-public (private) ways abutting the property._____
- h.** Suitable space to record the endorsement of the Board that Approval is not required and the signatures of the members of the Board._____
- i.** Zoning classification and location of any Zoning District Boundaries that may lie within the locus of the plan._____
- j.** In case of the creation of a new lot, the remaining land area and frontage of the land in ownership of the applicant shall be shown._____
- k.** Location of all existing structures, showing setback dimensions for front, side and rear._____
- l.** Square foot coverage of existing structures._____
- m.** Notice of any decision by the Planning Board and the Zoning Board of Appeals, including but not limited to, variances and special permits regarding the land or any buildings thereon._____
- n.** The applicant or the owner of record must obtain the signature of the Tax Collector stating that no debt is owed to the Town of Spencer. Pursuant to the provisions of M.G.L. Chapter 40, Section 57._____

RULES AND REGULATIONS
GOVERNING THE SUBDIVISION OF LAND
SPENCER, MASSACHUSETTS

(Adopted under the Subdivision Control Law sections
81-K to 81-GG inclusive, Chapter 41, G.L.)

PURPOSE

“The subdivision control law has been enacted for the purpose of protecting the safety, convenience and welfare of the inhabitants of the cities and town in which it is, or may hereafter be, put in effect by regulating the laying out and construction of ways in subdivisions providing access to the several lots therein, but which have not become public ways, and ensuring sanitary conditions in subdivisions and in proper cases parks and open areas. The powers of a planning board and a board of appeal under the subdivision control law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel, for lessening congestions in such ways and in the adjacent public ways; for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage and other requirements where necessary in a subdivision; and for co-ordinating the ways in a subdivision with each other and with the public ways in the city or town in which it is located and with the ways in neighboring subdivisions. It is the intent of the subdivision control law that any subdivision plan filed with the planning board shall receive the approval of such board if said plan conforms to the recommendations of the board of health and to the reasonable rules and regulations of the planning board pertaining to subdivisions of land; provided, however, that such board may, when appropriate, waive, as provided for in section eighty-one R. such portions of the rules and regulations as is deemed advisable.” (Section 81-M of Chapter 41, G.L.)

SECTION I. AUTHORITY

Under the authority vested in the Planning Board of the Town of Spencer by Section 81-Q of Chapter 41 of the General Laws, said Board hereby adopts these rules and regulations governing the subdivision of land in the Town of Spencer.

SECTION II. GENERAL

A. Definitions:

“Subdivision shall mean the division of a tract of land into two or more lots and shall include re-subdivision, and when appropriate to the context, shall relate to the process of subdivision or the land or territory subdivided; provided, however, that the division of a tract of land into two or more lots shall not be deemed to constitute a subdivision within the meaning of the subdivision control law, if at the time when it is made, every lot within the tract so divided has frontage on (a) public way or a way which the clerk of the city or town certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved in accordance with the subdivision control law or (c) a way in existence when the subdivision control law became effective in the city or town in which the land lies, having, in the opinion of the planning board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. Such frontage shall be of at least such distance as is then required by zoning or other ordinance or by-law, if any, of said city or town for erection of a building on such lot, and if no distance is so required, such frontage shall be of at least twenty feet. Conveyances or other instruments adding to or taking away from, or changing the size and shape of, lots in such manner as not to leave any lot so affected without the frontage above set forth, or the division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect in the city or town in which the land lies into separate lots on each of which one of such buildings remains standing shall not constitute a subdivision.” (Section 81-L of Chapter 41, G.L.)

“Preliminary Plan shall mean a plan of a proposed subdivision or resub-division of land.”

B. Plan Believed Not to Require Approval Under Subdivision Control Law:

1. Any Person who wishes to cause to be recorded in the Registry of Deeds, or to be filed with the Land Court, a plan of land, and who believes that said plan does not require approval under the Subdivision Control Law, may submit to the Board said plan, three (3) prints thereof, the filing fee of \$25.00 per lot and two (2) copies of a completed Spencer Planning Board Form A (Application for Endorsement of Plan Believed Not to Require Approval Under the Subdivision Control Law), accompanied by the necessary evidence to show that the plan does not require approval.

The plan shall be submitted to the Planning Board at a scheduled meeting.

2. Requirements of Plan:

A plan not requiring approval shall be prepared by a registered land surveyor and shall be clearly and legibly drawn to the requirements of the Recording Rules adopted by the Registry of Deeds in Massachusetts. If multiple sheets are used, they shall be accompanied by an index sheet showing the entire plan. A plan not requiring approval shall contain the following information:

- Locus map, property boundaries, north point, date and scale.
- Name of the record owner, name of the registered land surveyor, and the Worcester Registry of Deeds book and page reference of conveyance to record owner.
- Assessors Map and Parcel numbers.
- Area of each lot.
- Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, monuments or references necessary to establish these lines on the ground.
- Where practical, boundary lines of contiguous and adjacent land and the names of the owners thereof, as determined from the most recent tax list.
- Location, names and present widths of non-public (private) ways abutting the property.
- Suitable space to record the endorsement of the Board that Approval is not required and the signatures of the members of the Board.
- Zoning classification and location of any Zoning District Boundaries that may lie within the locus of the plan.
- In the case of the creation of a new lot, the remaining land area and frontage of the land in ownership of the applicant shall be shown.
- Location of all existing structures, showing setback dimensions for front, side and rear.
- Square foot coverage of existing structures.
- Notice of any decisions by the Planning Board and the Zoning Board of Appeals, including, but not limited to, variances and special permits regarding the land or any buildings thereon.

C. Subdivision

No person shall make a subdivision within the meaning of the Subdivision Control Law of any land within the Town, or proceed with the improvement or sale of lots in a subdivision, or the construction of ways, or the installation of municipal services therein, unless and until a Definitive Plan of such subdivision has been submitted and approved by the Planning Board as hereinafter provided.

SECTION III. PROCEDURE FOR THE SUBMISSION AND APPROVAL OF PLANS

A. Preliminary Plan:

1. General:

A Preliminary Plan of a subdivision should be submitted by the sub-divider to the Planning Board, Board of Health and Conservation Commission for discussion and approval.

2. Contents:

The Preliminary Plan shall be drawn on tracing paper with pencil at a suitable scale and four (4) prints shall be filed at the office of the Planning Board. Said plan shall be identified as a Preliminary Plan and show all the information described under the definition of the Preliminary Plan so as to form a clear basis for discussion of its problems and for preparation of the Definitive Plan.

Preliminary Plan Definition:

A plan of a proposed subdivision or resub-division of land drawn on tracing paper or a print thereof, showing

- a.** the subdivision name, boundaries, north point, date, scale, legend and title Preliminary Plan;
- b.** the names of the record owner and the applicant and the name of the designer, engineer or surveyor;
- c.** the names of all abutters, as determined from the most recent tax list;
- d.** the existing and proposed lines of streets, ways, easements and any public areas within the subdivision in a general manner;
- e.** the proposed system of drainage including adjacent existing waterways, in a general manner;
- f.** the approximate boundary lines of proposed lots with approximate areas and dimensions;
- g.** the names, approximate location and widths of adjacent streets;
- h.** and the topography of the land in a general manner....

(Section 81-L of Chapter 41, G.L.)

3. Approval:

The Planning Board may give such Preliminary Plan its approval, with or without modification. Such approval does not constitute approval of a subdivision.

B. Definitive Plan:

1. General:

Any person who submits a Definitive Plan of a subdivision to the Planning Board for approval shall file with the Board the following:

- a. An original drawing of the Definitive Plan and four (4) contact prints thereof, dark line on white background. The original drawing will be returned after approval or disapproval.
- b. A properly executed application Form C (see Appendix).
- c. A deposit of \$50.00 to cover the cost of advertising and notices.

The applicant shall file by delivery or registered mail a notice with the Town Clerk stating the date of submission for such approval and accompanied by a copy of the completed application (Form C).

2. Contents:

The Definitive Plan shall be prepared by a Registered Professional Engineer or Registered Land Surveyor and shall be clearly and legibly drawn in black India ink upon tracing cloth. The plan shall be at a scale of one inch equals forty feet or such other scale as the Planning Board may accept to show details clearly and adequately. Sheet sizes shall not exceed 24" x 36". If multiple sheets are used, they shall be accompanied by an index sheet showing the entire subdivision. The Definitive Plan shall contain the following information:

- a. Subdivision name, boundaries, north point, date and scale.
- b. Name and address of record owner, sub-divider and engineer or surveyor.
- c. Names of all abutters as they appear in the most recent tax list.
- d. Lines of existing and proposed streets, ways, lots easements and public or common areas within the subdivision. (Three proposed names of each proposed street shall be shown in pencil until one has been approved by the Planning Board.)
- e. Sufficient data to determine the location, direction and length of every street and way line, lot line and boundary line, and to establish these lines on the ground.
- f. Location of all permanent monuments properly identified as to whether existing or proposed.
- g. Location, names and present widths of streets bounding, approaching or within reasonable proximity of the subdivision.
- h. Indication of purpose of easements.
- i. Suitable space to record the action of the Planning Board and the signatures of the members of the Planning Board (or officially authorized person).

Items j, k and l may be submitted on the same sheet as the Definitive Plan or on separate sheets.

- j. Existing and proposed topography at a suitable contour interval if required by the Planning Board.
- k. Existing profiles on the exterior lines and proposed profile on the Center-line of proposed streets at a horizontal scale of one inch equals forty feet and vertical scale of one inch equals eight feet, or such other scales acceptable to the Planning Board. (All elevations shall refer to the Town datum.)
- l. Proposed layout of storm drainage, water supply and sewage disposal systems.

3. Review by Board of Health as to Suitability of the Land:

At the time of filing of the Definitive Plan, the Board shall transfer to the Board of Health two (2) prints of the Definitive Plan, dark line on white background. The Board of Health shall report to the Planning Board in writing approval or disapproval of said plan. In the event of disapproval, the Board of Health shall make specific findings as to which, if any, of the lots shown on the Plan cannot be used for building sites without injury to the public health and include such specific findings and the reasons, therefore, in such report and where possible, shall make recommendations for the adjustments thereof. If, however, the proposed subdivision is to be served by the municipal sewer system, failure of the Board of Health to make such a report within 45 days shall be deemed approval by said Board of Health.

- a. Approval under Massachusetts General Law, Chapter 131, Section 40-Wetlands Protection Act.

Any person submitting a subdivision for approval by the Board, said subdivision to be built upon or requiring alteration of any bank, flat, marsh, meadow or swamp bordering on any inland waterways, shall file for a permit to perform such activity under the Wetlands Protection Act (Chapter 131, Massachusetts General Laws). This permit must be obtained before any development work commences.

4. Public Hearing:

Before approval of Definitive Plan is given, a public hearing shall be held by the Planning Board. Notice of such hearing shall be given by the Planning Board at the expense of the applicant at least 14 days prior thereto by advertising twice in an official publication of, or in a newspaper of general circulation in the Town of Spencer, the first advertisement being at least 14 days in advance of the hearing. A copy of said notice shall be mailed (registered mail) to the applicant and to all owners of land abutting upon the subdivision as appearing in the most recent tax list.

5. Performance Guarantee:

- a. Approval with Bonds or surety:

Before approval of a Definitive Plan of a subdivision, the sub-divider shall either

file a performance bond or deposit money or negotiable securities in an amount determined by the Board to be sufficient to cover the cost of all or any part of the improvements specified in Section V, or follow the procedure outlined in “b” below. Such bond or security, if filed or deposited, shall be approved as to form and manner of execution by the Town Counsel and as to sureties by the Selectmen or Town Treasurer, and shall be contingent upon the completion of such improvements within one (1) year of the date of the bond.

i) Approval with Covenant:

The applicant shall file a covenant, executed and duly recorded by the owner of record, running with the land, whereby such ways and services as specified in Section V shall be provided to serve any lot before such lot may be built upon or conveyed other than by mortgage deed; provided, that a mortgagee who acquired title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of such premises or part thereof may sell any such lot, subject to that portion of the covenant which provides that no lot shall be built upon until such ways and services have been provided to serve such lot; and provided further that nothing herein shall be deemed to prohibit a conveyance by a single deed, subject to such covenant, of either the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Board. A deed of any part of the subdivision in violation thereof shall be voidable by the grantee prior to the release of the covenant but not later than three (3) years from the date of such deed.

Any covenant given under the preceding paragraph and any condition required by the Health Board or officer shall be either inscribed on the plan or contained in a separate document referred to on the plan.

b. Approval with Conditions:

- i) Release from Performance Guarantee – Upon the completion of the improvements required under Section V, security for the performance of which was given by bond, deposit or covenant, or upon the performance of any covenant with respect to any lot, the applicant shall send by registered mail to the Town Clerk and the Board a written statement that the said construction or installation in connection with which such bond, deposit or covenant has been given has been completed in accordance with the requirements contained under Section V, such statement to contain the address of the applicant. If the Board determines that said requirements have been completed, it shall release the interest of the town in such bond and return the bond or deposit to the person who furnished the same, or release the covenant by appropriate instrument, duly acknowledged, which may be recorded. If the Board determines that said construction or installation has not been completed, it shall specify in a notice sent by registered mail to the applicant and to the Town Clerk the details wherein said construction and/or installation fails to comply with its rules and upon failure so to do within forty-five (45)

days after the receipt by said clerk of said statement all obligations under the bond shall cease and terminate by operation of law, any deposit shall be returned and any such covenant shall become void. In the event that said forty-five (45) day period expires without such specification, or without the release and return of the bond or return of the deposit or release of the covenant as aforesaid, the said clerk shall issue a certificate to such effect, duly acknowledged, which may be recorded.

- ii) Failure to Performance – Any such bond may be endorsed and any such deposit may be applied by the Board for the benefit of the town, as provided in Section 81-Y of the General Laws upon failure of the performance for which any such bond or deposit was given to the extent of the reasonable cost to the town of completing such construction and/or installation.

6. Certificate of Approval:

The action of the Planning Board in respect to such plan shall be by vote, copies of which shall be certified and filed with the Town Clerk and sent by delivery or registered mail to the applicant. If the Planning Board modifies or disapproves such plan, it shall state in its vote the reasons for its action. Approval, if granted, shall be endorsed on original drawing of the Definitive Plan by the signatures of a majority of the Planning Board (or by the signature of the person officially authorized by the Planning Board) but not until the statutory twenty (20) day appeal period has elapsed following the filing of the certificate of the action of the Planning Board with the Town Clerk and said Clerk has notified the Planning Board that no appeal has been filed. After the Definitive Plan has been approved and endorsed, the applicant shall furnish the Planning Board with three (3) prints thereof. Approval of the Definitive Plan does not constitute the laying out or acceptance by the Town of streets within the subdivision.

SECTION IV DESIGN STANDARDS

A. Streets:

1. Location and Alignment:

- a.** All Streets in the subdivision shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular travel. Due consideration shall also be given by the sub-divider to the attractiveness of the street layout in order to obtain the maximum livability and amenity of the subdivision.
- b.** The proposed streets shall conform, so far as practicable, to the Master or Study Plan as adopted in whole or in part by the Planning Board.
- c.** Provision satisfactory to the Planning Board shall be made for the proper projection of streets, or for access to adjoining property which is not yet subdivided.
- d.** Reserve strips prohibiting access to streets or adjoining property shall not be permitted, except where, in the opinion of the Planning Board, such strips shall be in the public interest.
- e.** Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet should be avoided.
- f.** The minimum centerline radii of curved streets shall be one hundred (100) feet. Greater radii may be required for principal streets.
- g.** Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than sixty (60) degrees.
- h.** Property lines at street intersections shall be rounded or cut back to provide for a curb radius of not less than twenty (20) feet.

2. Width:

- a.** The minimum width of street rights-of-way shall be fifty (50) feet. Greater width shall be required by the Planning Board when deemed necessary for present and future vehicular travel.

3. Grade:

- a.** Grades of streets shall be not less than seven tenths of one per cent (0.7%). Grades shall not be more than six per cent (6.0%) for principal streets or more than twelve per cent (12.0%) for secondary streets.

4. Provision for the adequate disposal of surface water intercepted or collected by catch basins shall be made in such manner that no flow will be conducted over Town ways or over the land of others unless an easement in proper form is obtained permitting such drainage.

5. Proper connections shall be made with the existing public drainage system. Where adjacent property is not subdivided, provision shall be made for extension of the system by continuing appropriate drains to the exterior boundaries of the subdivision, at such size and grade as will allow for their proper projection.

6. The Board may also require provision for subsoil drains, along or near the edge of the traveled way (in addition to the trunk line system), wherever, in its opinion, ground water conditions in the subsoil warrant such drains.

C. Easements:

1. Easements for storm drains shall be provided where necessary and shall be at least twenty (20) feet wide.

2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Board may require that there be provided a storm water easement of adequate width to conform substantially to the lines of such water course, drainage way, channel or stream, for construction or other necessary purposes, and may further require that such water course, drainage way, or stream be enclosed.

D. Water and Sewer Systems:

1. Where a subdivision is located adjacent to, or within a reasonable distance from the existing public water and/or sewer system, the Board will require provision of such facilities and arrangement thereof as, in its opinion, are necessary to:

- a. Furnish all lots on each proposed street with adequate water supply for domestic use.
- b. Furnish all lots on each proposed street with adequate sewer connections to the Town sewer system.
- c. Serve all parts of the subdivision with water for fire protection from hydrants which are well distributed and will have an adequate fire flow.

2. Any water system within the subdivision shall be laid out to the satisfaction of the Board, who may request approval of its design by the Water Commissioners, following submission of the Definitive Plan. (Said approval may be indicated by said Commissioners either by endorsement on the Plan or by separate written statement.)

3. Any water system within the subdivision shall be properly connected with the existing water system. Where adjacent property is not subdivided, provision shall be made for extension of said system by continuing appropriate mains to the exterior boundaries of the subdivision at such size as will allow for their proper projection.

E. Open Spaces:

Before approval of a plan the Planning Board may also, in proper cases, require the plan to show a park or parks suitably located for playground or recreation purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of such land. The Planning Board may by appropriate endorsement on the plan, require that no building be erected upon such park or parks without its approval for a period of three (3) years.

F. Protection of Natural Features:

Due regard shall be shown for all natural features, such as large trees, water courses, scenic points, historic spots, and similar community assets, which, if preserved, will add attractiveness and value to the subdivision.

**SECTION V. REQUIRED IMPROVEMENTS FOR AN APPROVED
SUBDIVISION**

A. Street Grading:

1. The entire area of each street or way shall be cleared of all stumps, brush, roots, boulders and like material and all trees not intended for preservation.
2. Within each street, the full length and width of the roadway (including any required shoulders) shall be excavated or filled, as necessary, to a sub-grade parallel to the finished grade herein specified. If the soil is soft or yielding, or contains rocks or boulders, clay, sand pockets, peat or other material detrimental to the sub-grade, such material shall be removed and replaced with suitable well compacted material.
3. All storm drains, culverts, manholes, water and sewer mains, shut-off valves, and other appurtenances shall be installed, and such installations together with the roadway sub-grade, shall be inspected as hereafter provided (first inspection) prior to any backfilling of trenches, covering of structures, or further roadway construction.

B. Roadways:

1. Roadways shall be constructed for the full length of all streets within the subdivision shown on the plan. The centerline of such roadways shall coincide with the centerline of the street rights-of-way, unless a minor variance is specifically approved by the Board.
2. The minimum width of roadways shall be thirty (30) feet.
3. Roadways shall be provided with a foundation consisting of at least twelve (12) inches of clean bank gravel, rolled and compacted to a centerline grade as shown on the profile. Gravel shall be spread in two equal courses, each of which shall be rolled true to line and grade. Where shoulders are to be constructed the width of the second course shall be reduced by the width to be occupied by the shoulders. Any depressions that appear during and after the rolling shall be filled with gravel and rerolled until the surface is true and even.
4. The completed gravel foundation shall be covered for the full width of the roadway with a two (2) inch base course and a one (1) inch top course of "Type I" bituminous concrete. Wherever necessary, a "Cape Cod" berm will be installed.
5. Prior to construction of the roadway surface, the roadway shall again be inspected, as hereinafter provided (second inspection).
6. Upon completion of the roadway surfacing and any shoulders, the roadway shall again be inspected, as hereinafter provided (third inspection).

C. Utilities:

1. Sewer pipes and related equipment, such as manholes and connecting Ys shall be constructed in conformity with specifications of the Sewer Department.
2. Storm drains, culverts and related installations, including catch basins, gutters and manholes shall be installed within the subdivision as shown on the Definitive Plan. Such installation, including the methods of construction and the quality of materials used, shall be in accordance with the latest "Standard Specifications for Highways and Bridges" of the Massachusetts Department of Public Works, including any subsequent amendments thereto.
3. Water pipes and related equipment, including hydrants and main shut-off valves, shall be installed within the subdivision as shown on the Definitive Plan. Such installation, including the quality of materials used, shall conform to the current specifications of the Water Commissioners.
4. Service connectors for domestic water supply from the main in the street to the outside lines thereof shall be installed for each lot shown on the Plan (whether or not there is a building thereon).

D. Sidewalks:

1. Sidewalks of not less than five (5) feet in width shall be constructed on one side of the street in conformity with specification of the Highway Department when in the opinion of the Planning Board such sidewalks are necessary.

E. Monuments:

1. Monuments shall be installed at all street intersections, at all points of change in direction or curvature of streets, at all points where streets intersect the boundary lines of the subdivision, and at such other points where, in the opinion of the Board, permanent monuments are necessary.
2. Required monuments shall be at least 5" x 5" reinforced concrete or granite posts three feet six inches (3' 6") in length and must be set flush with the finished grade.
3. No permanent monuments shall be installed until all construction which could destroy or disturb the monuments is completed.
4. All house lots shall have a monument on all corners of said lots.

F. Cleaning Up:

1. The entire area must be cleaned up so as to leave a neat and orderly appearance free from debris and other objectionable materials.

2. Following the completion of this and all other items of work, a final inspection (fourth inspection) shall be made.

G. Inspections:

1. At the points hereinbefore indicated, the construction of required improvements shall be inspected by the Board or such person as may be designated by the Board, and unless approval of the work completed to each such points has been given in writing, no further work shall be done until construction has been completed to such point to the written satisfaction of the Board or its inspector.
2. Inspections shall be requested at least twenty-four (24) hours in advance by written notice to the Board or other authorized person.
3. To cover the cost of such inspection, there shall be deposited with the Board, prior to the first request for inspection a sum equal to ten dollars (\$10) for each two hundred (200) feet of a street being constructed or any part thereof.

SECTION VI. ADMINISTRATION

A. Variation:

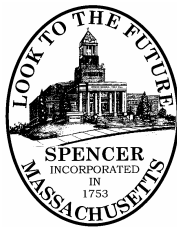
Strict compliance with the requirements of these rules and regulations may be waived when, in the judgment of the Planning Board, such action is in the public interest and not inconsistent with the Subdivision Control Law.

B. Reference:

For matters not covered by these rules and regulations, reference is made to Section 81-K to 81-GG, inclusive, of Chapter 41 of the General Laws.

C. One Dwelling Per Lot:

Not more than one building designed or available for use for dwelling purposes shall be erected or placed or converted to use as such on any lot in a subdivision or elsewhere in the Town without the consent of the Planning Board.



TOWN OF SPENCER, MASSACHUSETTS

OFFICE OF THE PLANNING BOARD

FORM A

*Application For Endorsement of Plan Believed Not to Require Approval
Under the Subdivision Control Law*

Fee: \$25.00 per lot

File two completed Form A's with the Planning Board in accordance with the requirements of Rules and Regulations Governing the Subdivision of Land in Spencer, Massachusetts, Sections B.1 and B.2.

To the Planning Board:

The undersigned, believing that the accompanying plan of his/her property in the Town of Spencer does not constitute a Subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

Name of Applicant _____

Address of Applicant _____

Telephone Number of Applicant _____

Owner of Record _____

Address of Owner of Record _____

Location of Property _____ Number of Lots _____

Name of Surveyor _____

Address of Surveyor _____

Telephone Number of Surveyor _____

Worcester Registry Book _____ Page _____

Town of Spencer Assessors' Map _____ Parcel _____

Applicant's Signature _____

Owner's Signature _____

Pursuant to the provisions of M.G.L. Chapter 40, Section 57, certification that no debt is owed to the Town of Spencer by the applicant or the owner of record must be obtained from the Tax Collector before this Form A is submitted to the Planning Board.

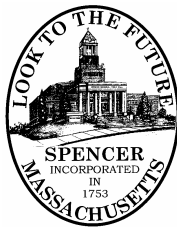
No Debt is Owed _____

Debt is Owed _____

Signature of Tax Collector

Date

Date Application Submitted to the Planning Board _____



TOWN OF SPENCER, MASSACHUSETTS

OFFICE OF THE PLANNING BOARD

FORM A

*Application For Endorsement of Plan Believed Not to Require Approval
Under the Subdivision Control Law*

Fee: \$25.00 per lot

File two completed Form A's with the Planning Board in accordance with the requirements of Rules and Regulations Governing the Subdivision of Land in Spencer, Massachusetts, Sections B.1 and B.2.

To the Planning Board:

The undersigned, believing that the accompanying plan of his/her property in the Town of Spencer does not constitute a Subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for a determination and endorsement that Planning Board approval under the Subdivision Control Law is not required.

Name of Applicant _____

Address of Applicant _____

Telephone Number of Applicant _____

Owner of Record _____

Address of Owner of Record _____

Location of Property _____ Number of Lots _____

Name of Surveyor _____

Address of Surveyor _____

Telephone Number of Surveyor _____

Worcester Registry Book _____ Page _____

Town of Spencer Assessors' Map _____ Parcel _____

Applicant's Signature _____

Owner's Signature _____

Pursuant to the provisions of M.G.L. Chapter 40, Section 57, certification that no debt is owed to the Town of Spencer by the applicant or the owner of record must be obtained from the Tax Collector before this Form A is submitted to the Planning Board.

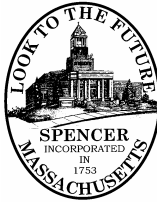
No Debt is Owed _____

Debt is Owed _____

Signature of Tax Collector

Date

Date Application Submitted to the Planning Board _____



TOWN OF SPENCER, MASSACHUSETTS
OFFICE OF THE
PLANNING BOARD
FORM B

Application For Approval of Preliminary Plan

File one completed Form B with the Planning Board and one copy with the Town Clerk in accordance with Rules and Regulations Governing the Subdivision of Land in Spencer, Massachusetts, Section III-A.

See Spencer Planning Board Fee Schedule for Preliminary Subdivision Plan

To the Planning Board:

The undersigned herewith submits the accompanying Preliminary Plan of property located in the Town of Spencer for approval as a subdivision as allowed under the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land in Spencer, Massachusetts.

1. Name of Subdivider _____
Address _____
Telephone Number _____
2. Name of Owner of Record _____
Signature of Owner of Record _____
Address of Owner of Record _____
Telephone Number of Owner of Record _____
3. Deed of Property Recorded in Worcester Registry, Book _____ Page _____
4. Location of Property _____
Description of Property _____
Number of Lots _____

Please attach a list of the names and addresses of the abutters to this subdivision.

Pursuant to the provisions of M.G.L. Chapter 40, Section 57, certification that no debt is owed to the Town of Spencer by the Sub-divider or the Owner of Record must be obtained from the Tax Collector before this Form B is submitted to the Planning Board.

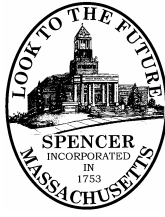
No Debt is Owed _____

Debt is Owed _____

Signature of Tax Collector

Date

Date Form B submitted to Planning Board _____



TOWN OF SPENCER, MASSACHUSETTS
OFFICE OF THE
PLANNING BOARD
FORM C

Application For Approval of Definitive Plan

File one completed Form C with the Planning Board and one copy with the Town Clerk in accordance with Rules and Regulations Governing the Subdivision of Land in Spencer, Massachusetts, Section III-B.

See Spencer Planning Board Fee Schedule for Definitive Subdivision Plan

To the Planning Board:

The undersigned herewith submits the accompanying Definitive Plan of property located in the Town of Spencer for approval as a subdivision as allowed under the Subdivision Control Law and the Rules and Regulations Governing the Subdivision of Land in Spencer, Massachusetts.

1. Name of Subdivider _____
Address _____
Telephone Number _____
2. Name of Owner of Record _____
Signature of Owner of Record _____
Address of Owner of Record _____
Telephone Number of Owner of Record _____
3. Deed of Property Recorded in Worcester Registry, Book _____ Page _____
4. Location of Property _____
Description of Property _____
Number of Lots _____
5. Name of Engineer or Surveyor _____
Address _____

Please attach a list of the names and addresses of the abutters to this subdivision.

Pursuant to the provisions of M.G.L. Chapter 40, Section 57, certification that no debt is owed to the Town of Spencer by the Sub-divider or the Owner of Record must be obtained from the Tax Collector before this Form C is submitted to the Planning Board.

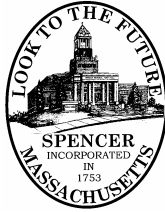
No Debt is Owed _____

Debt is Owed _____

Signature of Tax Collector

Date

Date Form C submitted to Planning Board _____



TOWN OF SPENCER, MASSACHUSETTS
OFFICE OF THE
PLANNING BOARD

FEE AND REVIEW SCHEDULE

In accordance with M.G.L. Chapter 44, Section 53g
the Spencer Planning Board has adopted the following Fee and Review Schedule
Effective August 24, 1999:

APPROVAL NOT REQUIRED PLAN	\$25.00 PER LOT
PRELIMINARY SUBDIVISION PLAN	\$150.00 APPLICATION FEE \$100.00 PLAN PLUS \$50.00 PER LOT
DEFINITIVE SUBDIVISION PLAN	\$150.00 APPLICATION FEE \$300.00 PLAN PLUS \$50.00 PER LOT
DEFINITIVE SUBDIVISION PLAN W/O PRELIMINARY PLAN	\$150.00 APPLICATION FEE \$1,000.00 PLAN PLUS \$50.00 PER LOT
ALL EXPENSES INCURRED BY THE TOWN OF SPENCER IN CONJUNCTION WITH A PLAN WILL BE AT THE APPLICANT'S EXPENSE.	



TOWN OF SPENCER, MASSACHUSETTS
OFFICE OF THE
PLANNING BOARD

FEE SCHEDULE
for
SUBDIVISION ROADS

Effective August 23, 1999

Requirements for Bond

WATER.....	\$50.00 per foot
SEWER.....	\$50.00 per foot
ROAD.....	\$50.00 per foot

ALL EXPENSES INCURRED BY THE TOWN OF SPENCER IN CONJUNCTION WITH
A BOND WILL BE AT THE APPLICANT'S EXPENSE.

